

# Order

Michigan Supreme Court  
Lansing, Michigan

May 23, 2012

Robert P. Young, Jr.,  
Chief Justice

144055 & (66)

Michael F. Cavanagh  
Marilyn Kelly  
Stephen J. Markman  
Diane M. Hathaway  
Mary Beth Kelly  
Brian K. Zahra,  
Justices

DEVON SCOTT BAILEY,  
Plaintiff-Appellee/  
Cross-Appellant,

v

SC: 144055  
COA: 295801  
Genesee CC: 07-087454-NO

STEVEN GEROME SCHAAF,  
Defendant,  
and

T.J. REALTY, INC., d/b/a HI-TECH  
PROTECTION, TIMOTHY JOHNSON,  
CAPTAIN WILLIAM BOYD BAKER,  
CHRISTOPHER LEE CAMPBELL,  
Defendants-Appellees,  
and

EVERGREEN REGENCY TOWNHOMES,  
LTD., and RADNEY MANAGEMENT &  
INVESTMENTS,  
Defendants-Appellants/  
Cross-Appellees.

---

On order of the Court, the application for leave to appeal the August 18, 2011 judgment of the Court of Appeals and the application for leave to appeal as cross-appellant are considered. The application for leave to appeal is GRANTED. The parties shall include among the issues to be briefed whether the Court of Appeals erred when it extended the limited duty of merchants – to involve the police when a situation on the premises poses an imminent risk of harm to identifiable invitees, see *MacDonald v PKT, Inc*, 464 Mich 322 (2001) – to landlords and other premises proprietors, such as the defendant apartment complex and property management company. The application for leave to appeal as cross-appellant remains pending.

The Michigan Defense Trial Counsel, Inc. and the Michigan Association for Justice are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



p0516

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

May 23, 2012

*Corbin R. Davis*

Clerk